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PATENT

ATTORNEY DOCKET NO. 113P2/PCT3/US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING

I hereby certify under 37 C.F.R. 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Label No. EV954532761 US with sufficient postage on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ [X] If checked, two copies of this correspondence are enclosed.

Dawn M. MacPherson
Signature

Date of Deposit: 3-15-2007

Dawn M. MacPherson

Printed name of person mailing correspondence

Applicant: DONG, Zheng Xin et al.

Art Unit: 1646

Serial No.: 10/522,398

Examiner: Unknown

Filed: January 21, 2005

Title: GHRELIN ANALOGS

SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ [] under 37 CFR 1.129(a), or

(First/Second submission after Final Rejection)

☒ [X] under 37 CFR 1.97(b), or

(Whichever occurs last of the following: within three months of filing national application; within three months of date of entry of the national stage in international application; before the mailing date of first office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination)

☐ [] under 37 CFR 1.97(c) together with either:

☐ [] a Statement under 37 CFR 1.97(e), as checked below, or

☐ [] a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ [] under 37 CFR 1.97(d) together with:

☐ [] a Statement under 37 CFR 1.97(e), as checked below, and

☐ [] a Petition under 37 CFR 1.97(d)(2), and

☐ [] a \$130.00 petition fee set forth in 37 CFR 1.17(i).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

☐ [] Applicant requests that the attached IDS and cited reference(s) [] be placed in the application filewrapper.

(Filed after payment of issue fee)

☒ [X] All of the listed references were cited in a European Search Report in a counterpart European application or cited in a communication from a foreign patent office in a counterpart foreign application.

- ☒ Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of each reference noted thereon.
- ☐ Enclosed herewith is form PTO/1449 (1 page; reproduced form), with a copy of selected references noted thereon. As per the change to 37 CFR 1.98(a)(2) published in the September 21, 2004 Federal Register and effective as of October 21, 2004, in which the requirement for a copy of each U.S. Patent or U.S. Patent application publication listed in an IDS has been eliminated regardless of the filing date of the application (unless required by the Office), copies of any United States Patent or Patent Publications are not enclosed.
- ☐ Copies of the reference(s) noted on the enclosed form PTO/1449 were previously cited by or submitted to the Patent and Trademark Office in connection with U.S. Application Serial No. [], from which the present application claims benefit under 35 U.S.C. § 120 (37 C.F.R. 1.98(d)). Applicants request that copies of art in U.S. Application Serial No. [] cited on the enclosed PTO/1449 form be transferred to the present U.S. Application Serial No. [].

Concise Explanation Requirement (non-English references):

- ☐ The "concise explanation" requirement for reference(s) [B] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
 - ☐ the explanation provided in the Specification.
 - ☐ submission of the enclosed International Search Report.
 - ☐ the enclosed English language document reasonably believed to be an English equivalent.

It is requested that the information disclosed herein be made of record in this application, and that the references listed on the enclosed form PTO/SB/08B appear under the "References Cited" heading of any Patent which issues from this application, (MPEP 1302.12).

Statement Under 37 CFR 1.97(e):

- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Method of payment:

- ☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply.
- ☒ No fee is believed to be due for this submission. However Applicant(s) hereby authorize the Commissioner to charge any fees that may be deemed to be due or to credit any overpayment to Deposit Account No. 50-0590. Two copies of this Statement are enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees and credit any overpayment to Deposit Account 50-0590. Two copies of this Statement are enclosed.

Respectfully submitted,
BIOMEASURE, INCORPORATED

Dated: March 15 2007

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2nd SIDS		Sheet 1 of 1					
PTO-1449 REPRODUCED				ATTORNEY DOCKET NO. 113P2/PCT3/US BIO-113.2US		APPLICATION NO. 10/522,398	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <small>(Use several sheets if necessary)</small>				APPLICANT DONG, Zheng Xin et al.			
<div style="border: 1px solid black; border-radius: 50%; padding: 10px; display: inline-block; text-align: center;"> MAR 15 2007 <small>U.S. PATENT & TRADEMARK OFFICE</small> </div>				FILING DATE January 1, 2005		GROUP/EXAMINER 1646/Unknown	
U.S. PATENT DOCUMENTS							
EXAM- INER INT- TIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
/AG/	BA	02/083860	Oct. 24, 2002	WIPO/PCT			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
/AG/	BB	Chemical Abstracts Accession Number 473287-63-7 November 12, 2002.					
/AG/	BC	CHURCH, W. B. et al., "A novel approach to the design of inhibitors of human secreted phospholipase A2 based on native peptide inhibition", J. Biol. Chem., 2001, 276:33156-33164.					
/AG/	BD	GUO, D. et al., "Prediction of peptide retention times in reversed-phase high-performance liquid chromatography II. Correlation of observed and predicted peptide retention times and factors influencing the retention times of peptides", J. Chromatography, 1986, 359:519-532.					
/AG/	BE	KAGAN, H. M. et al., "Influence of sequence and charge on the specificity of lysyl oxidase toward protein and synthetic peptide substrates", J. Biol. Chem., 1984, 259:11203-11207.					
/AG/	BF	TORSELLO, A. et al., "Short ghrelin peptides neither displace ghrelin binding in vitro nor stimulate GH release in vivo", Endocrinology, 2002, 143:1968-1971.					
EXAMINER /Anish Gupta/				DATE CONSIDERED 12/10/07			